

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	
-v.-	:	DECLARATION IN SUPPORT OF
	:	CORRECTED PRELIMINARY
JAMES ZHONG,	:	ORDER OF FORFEITURE AS TO
	:	SPECIFIC PROPERTY AND
Defendant.	:	SUBSTITUTE ASSETS/
	:	<u>MONEY JUDGMENT</u>
	:	
	:	22 Cr. 606 (PGG)

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DAVID R. FELTON, pursuant to Title 28, United State Code, Section 1746,
declares under penalty of perjury as follows:

1. I am an Assistant United States Attorney in the Office of Damian Williams, United States Attorney for the Southern District of New York, and attorney for the Government herein. I am responsible for the above-captioned matter, and as such, I am familiar with the facts and circumstances of this proceeding. This declaration is submitted in support of the Government's submission of a Corrected Preliminary Order of Forfeiture as to Specific Property and Substitute Assets/Money Judgment in the above-captioned case.

2. The Defendant consents to the request.

3. On or about November 4, 2022, the Court entered a Consent Preliminary Order of Forfeiture as to Specific Property and Substitute Assets/Money Judgment imposing, *inter alia*, a forfeiture money judgment against the Defendant in the amount of \$42,747,425.95 in United States currency (the "Money Judgment") representing the proceeds traceable to the commission of the offense charged in Count One of the Information (the "Preliminary Order of Forfeiture").

4. The Preliminary Order of Forfeiture, which was agreed to and proposed by the parties, contained a clerical error which mistakenly listed the United States Marshals Service as the agency handling any payments towards the Money Judgment.

5. The Preliminary Order of Forfeiture should have instead listed the United States Department of Treasury as the correct agency.

6. Pursuant to Rule 36 of the Federal Rules of Criminal Procedure, “the court may at any time correct a clerical error in a judgment, order, or other part of the record[.]”

7. Accordingly, the Government requests pursuant to Rule 36 that the Court enter the proposed Corrected Preliminary Order of Forfeiture as to Specific Property and Substitute Assets/Money Judgment to correct the appropriate agency from the United States Marshals Service to the United States Department of Treasury.

8. No previous application for the relief requested herein has been sought.

Dated: New York, New York
December 1, 2022

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: /s/ David R. Felton
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